

Sim & McBurney

Patent and Trade Mark Agents

330 University Avenue
6th floor
Toronto, Canada
M5C 1R7
Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
RACHEL T. HUGHES, C.
TONI POLSON ASIMT
JOHN H. WOODLEY
KENNETH D. MCKAY
BRENDA L. BLANKIN
TIMOTHY M. LAMMIE
STEPHEN M. LANE
ARTHUR B. RENAUD
STEPHEN J. PERAT
PATRICIA A. KAE
DAVID A. RUSTON
THOMAS T. RIEDER
WARREN J. GALLAGHER
JOHN N. AUCHINCLOSS
STEVEN L. NEMETZ
GILLIAN M. SMITH
L.E. TRENT HORN
LOLA A. BARTON
SENIOR CONSULTANT
PETER W. McHURNE
TECHNICAL ASSISTANT
URSULA M. MCGUIN
ROBERT C.T. LIANG
KIMBERLY A. MCMAHON
PETER S. HARRISON
LESLIE M. MORRISON, SC. MEd.

Please Quote 1038-971 MIS:as
Our ref.

Your ref.

Writer's Ext. 239/256

January 15, 2001

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

M. I. Stewart
Michael I. Stewart
Reg. No. 24,973

January 15, 2001
Date

The Commissioner of Patents and
Trademarks,
Washington, D.C. 20231,
U.S.A.

Dear Sir:

Re: U.S. Patent Application No. 09/391,606
Applicant: ANDREW D. MURDIN ET AL
Title: IMMUNOGENIC COMPOSITIONS FOR PROTECTION
AGAINST CHLAMYDIAL INFECTION
Filed: September 7, 1999
Group No.: 1633

This Communication is in response to the Office Action of December 15, 2000.

The Office Action required restriction to one of two inventions, identified as Groups I and II. The Examiner considered the claims of Group II to be patentably distinct from those of Group I.

Applicants hereby elect the claims of Group I, namely claims 1, 2, 4 to 7 and 9 to 23 drawn to a composition comprising a first and second vector each of which encodes a *Chlamydia pneumoniae* protein.

2

This election is made without prejudice to the applicants right to file a divisional and/or continuation application directed to the non-elected subject matter.

Yours very truly,

M.I. Stewart

Michael I. Stewart
Reg. No. 24,973

M.I. Stewart:as

Sim, Hughes, Ashton & McKay
Barristers & Solicitors

6th floor, 330 University Avenue
Toronto, Ontario, Canada, M5G 1R7

Tel. (416) 595-1155; Fax (416) 595-1163

Sim & McBurney
Patent & Trade Mark Agents

10/308
1/12/01
Official
mw
1-16-01

DATE: January 15, 2001

Your ref:

Our Ref. No.: 1038-971 MIS:as

TO: EXAMINER MICHAEL C. WILSON - ART UNIT 1633 - U.S. Patent and Trademark Office,
Washington, D.C.

Telecopier/Fax Number: 1 (703) 308-8724

Total Number of Pages (Including Cover Sheet): 3

FROM: MR. MICHAEL I. STEWART

**COMMENTS: THE ATTACHED RESPONSE IS DUE TODAY,
JANUARY 15, 2001.**

We are transmitting from a Xerox Telecopier 295 - group 3 which is compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

COSIMO

OPERATOR

CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual person or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or the agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosing, copying, distributing or the taking of any action in reliance on the contents of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect) and return the original message to us at the above address via the postal service. Thank you.